

IN RE: PETITION FOR RESIDENTIAL VARIANCE\* BEFORE THE  
W/S Manor Spring Court, 2450' S  
of the c/l of Meadow Cliff Road \* ZONING COMMISSIONER  
(26 Manor Spring Court) \* OF BALTIMORE COUNTY  
11th Election District \* Case No. 90-524-A  
6th Councilmanic District \*  
Dimitrios Apostolou, et ux  
Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 37 feet in lieu of the required 50 feet for a proposed two car garage in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of July, 1990 that the Petition for Residential Variance to permit a side yard setback of 37 feet in lieu of the required 50 feet for a proposed two car garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioners shall not allow or cause the proposed garage to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

JRH:bjs

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333  
J. Robert Haines  
Zoning Commissioner

July 9, 1990

Mr. & Mrs. Dimitrios Apostolou  
26 Manor Spring Court  
Baltimore, Maryland 21234

RE: PETITION FOR RESIDENTIAL VARIANCE  
W/S Manor Spring Court, 2450' S of the c/l of Meadow Cliff Road  
(26 Manor Spring Court)  
11th Election District - 6th Councilmanic District  
Dimitrios Apostolou, et ux - Petitioners  
Case No. 90-524-A

Dear Mr. & Mrs. Apostolou:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance have been granted in accordance with the attached order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: People's Counsel

File



Dennis F. Rasmussen  
County Executive

## PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

90-524-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 100-153.3

To permit a sideyard setback of 37' instead of the required 50' (10)

AN RC-5 ZONE ON A LOT LINE OTHER THAN A STREET  
LINE (10)

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (Indicate hardship or practical difficulty)

Strict compliance would unreasonably prevent the permitted use of a 2 car garage since there is no other area on the lot where a garage can be built due to severe slopes.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioners

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s)

DIMITRIOS APOSTOLOU

Signature

Address

City/State/Zip Code

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City/State/Zip Code

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Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building, Suite 406  
Towson, Maryland 21204  
(301) 887-3554

June 6, 1990

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

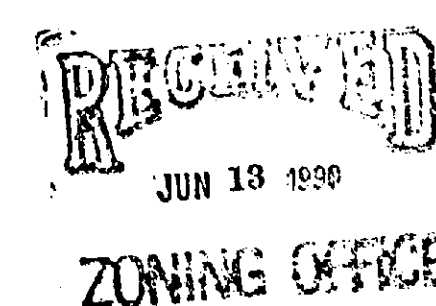
Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 355, 395, 408, 409, 410, 411, 412, 413, 414, 416, 417, 418, and 421.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate II

MSF/lvw



Baltimore County  
Fire Department  
700 East Joppa Road, Suite 901  
Towson, Maryland 21204-5500  
(301) 887-4500  
Paul H. Reincke  
Chief

JUNE 4, 1990

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: DIMITRIOS APOSTOLOU  
Location: #26 MANOR SPRING COURT  
Item No.: 395 Zoning Agenda: JUNE 12, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 22

REVIEWER: *C. J. Murphy* Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/KEK

Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204  
(301) 887-3333  
J. Robert Haines  
Zoning Commissioner

May 29, 1990

Mr. & Mrs. Dimitrios Apostolou  
P. O. Box 8509  
Baltimore, Maryland 21234

Re: CASE NUMBER: 90-524-A  
ITEM NUMBER: 395  
LOCATION: 26 Manor Spring Court

Dear Petitioner:

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number.

Your property will be posted on or before June 13, 1990. After the closing date (June 28, 1990) for filing a request for hearing has passed, the file will be taken to the Zoning Commissioner for review. You will next receive from this office:

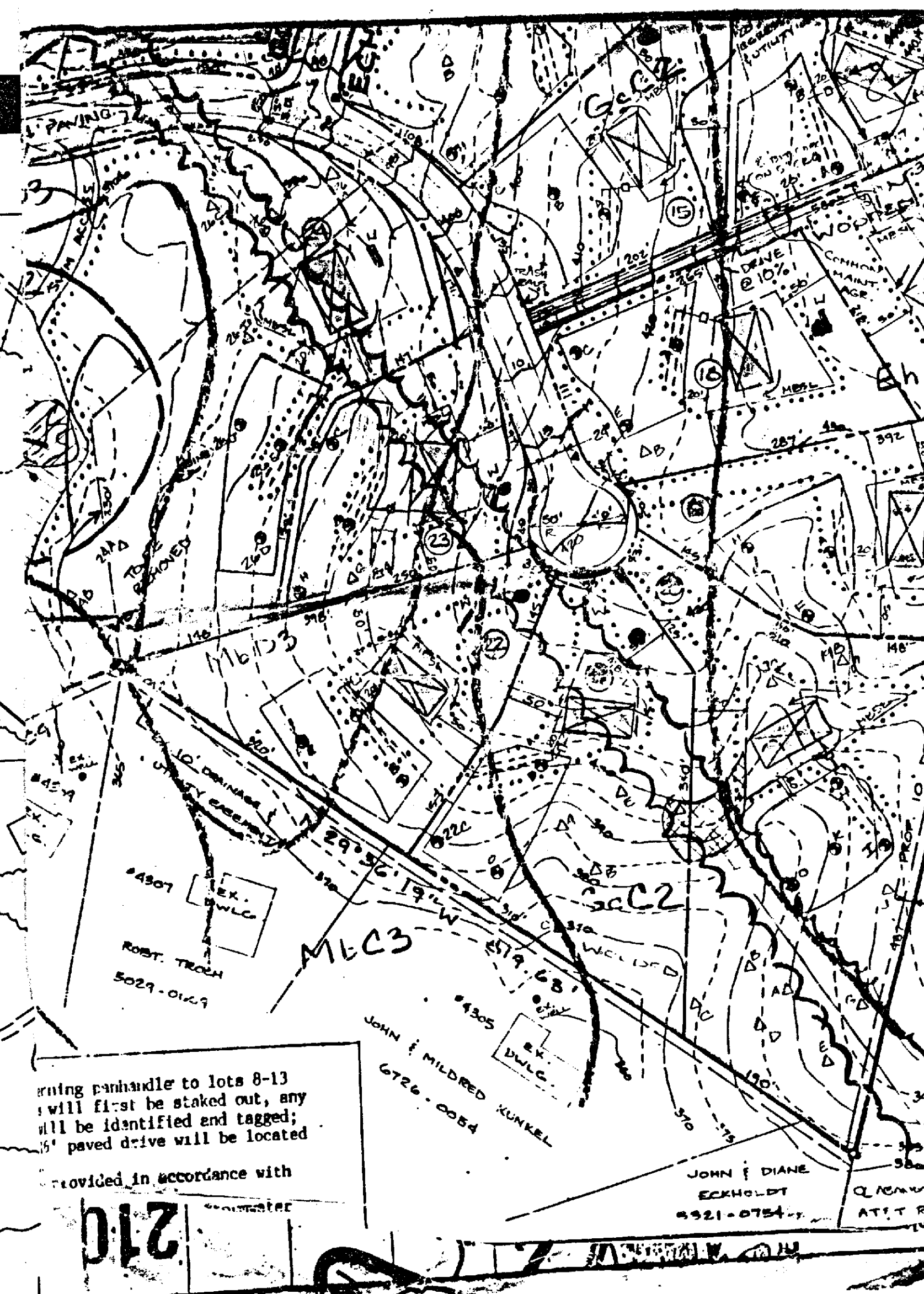
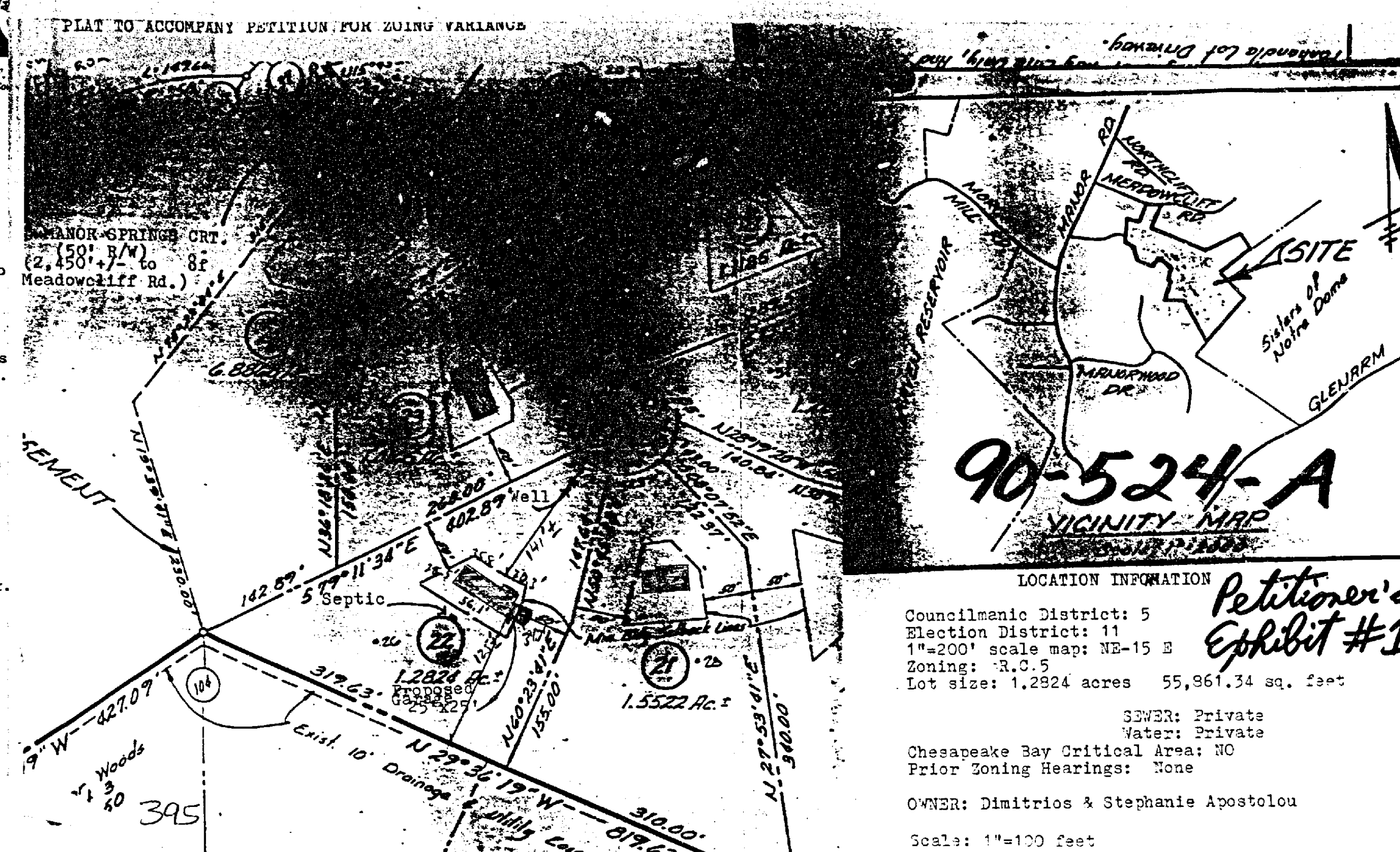
1) Notice that a formal request for hearing has been filed, taking the matter out of the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice.

OR

2) Notice that the matter has completed the administrative process and that you may return the sign/post and pick-up your Order.

Very truly yours,

*G. G. Stephens*  
G. G. Stephens



Petitioner's Exhibit #2

Petitioner's Exhibit #2

395  
90-524-A